

# COUNTY OF LOS ANGELES

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ANDREA SHERIDAN ORDIN
County Counsel

April 6, 2011

TO:

SACHI A. HAMAI

Executive Officer Board of Supervisors

Attention: Agenda Preparation

FROM:

JOHN F. KRATTLI

Senior Assistant County Counsel

RE:

Ramiro Polanco and Ana Linares v. County of Los Angeles, et al.

Los Angeles Superior Court Case No. PC 046 592

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisor's agenda.

JFK:rfm

Attachments

#### Board Agenda

#### MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Ramiro Polanco and Ana Linares v. County of Los Angeles, et al., Los Angeles Superior Court Case No. PC 046 592, in the amount of \$198,000 plus assumption of the Medi-Cal lien of \$8,894.79, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Health Services' budget.

This lawsuit concerns the care provided to a patient at the Olive View Medical Center.

#### **CASE SUMMARY**

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME

Ramiro Polanco and Ana Linares v. County of Los Angeles, et al.

**CASE NUMBER** 

PC 046592

**COURT** 

Los Angeles Superior Court -

North Valley District

DATE FILED

October 6, 2009

**COUNTY DEPARTMENT** 

Department of Health Services

PROPOSED SETTLEMENT AMOUNT

\$198,000 and assumption of the

Medi-Cal lien in the amount of

\$8,894.79.

ATTORNEY FOR PLAINTIFF

Robert J. McCulloch, Esq.

Law Offices of

Robert J. McCulloch

COUNTY COUNSEL ATTORNEY

Narbeh Bagdasarian -

Senior Deputy County Counsel

NATURE OF CASE

On September 17, 2008,

Ramiro A. Polanco was admitted

to the psychiatric unit at Olive

View Medical Center.

On September 26, 2008, in an attempt to escape, Mr. Polanco jumped out of a window. As a result, Mr. Polanco suffered

injuries to his head.

Mr. Polanco filed a lawsuit against the County of Los Angeles and another entity. As to the County of Los Angeles, Mr. Polanco

contended that the staff at

Olive View Medical Center failed to adequately supervise him and failed to prevent him from jumping out of the window.

PAID ATTORNEY FEES, TO DATE

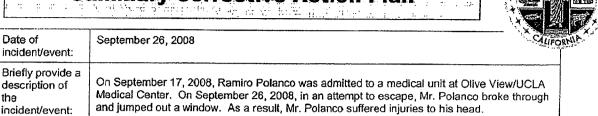
\$100,347

PAID COSTS, TO DATE

\$46,261.81

Case Name:	Polanco, Ramiro			

# Summary Corrective Action Plan



. Br	iefly	describe	the	root	cause	of	the	claim/	lawsu	ıit

the

- Lack of clear guidelines on appropriate care setting for patients with behavioral issues resulting in patient jumping out of the window.
- Briefly describe recommended corrective actions: (Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)
  - In January 2009, a policy was developed to outline the management of psychiatric patients on non-psychiatric units.
  - in December 2008, windows were made "psychiatric safe" with reinforced windows in specified medicine rooms.
  - In 2008 and 2010, education was provided to nursing staff on medicine units regarding behavioral assessments.
  - In October 2008, the sitter policy was revised to include RN signature on nursing attendant documentation.
  - In 2008 and 2010, the hand-off communication policy was reviewed with nursing staff.
  - In October 2008, the consent policy was reviewed with the Department of Medicine physician
  - In April 2009, DHS verified that each acute care hospital has a policy for caring for the psychiatric patient in a non-psychiatric setting.
  - In December 2010, DHS verified that each acute care facility that provides care to psychiatric patients in a non-psychitric setting has procedures for communicating changes in behavior to appropriate staff.
  - In December 2010, DHS confirmed with the acute care hospitals that provide care to psychiatric patients in a non-psychiatric setting that each has reinforced or break resistant windows.

<ol> <li>State if the corrective actions are applicable to only your department or other County departments: (If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)</li> </ol>				
Potentially has County-wide implications.				
Potentially has implications to other departments (i. or one or more other departments).	e., all human services, all safety departments,			
X Does not appear to have County-wide or other department.	artment implications.			
Name: (Risk Management Coordinator)				
Kimbery McKenzie				
Signature:	Date:			
Imalmue	1/10/4			
Name: (Department Head)				
Mitchell Katz				
Signature: MMM1	Date:			

County of	Los Angeles	
Summary	Corrective Action	Plan

#### Chief Executive Office Risk Management Branch

Name:			
	LEO	COSTANTINO	
Signature:		Alles	Date:
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